

0103 Rec'd PCT/PTO 04 OCT 2004

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 21075YR U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <div style="font-size: 24pt; font-weight: bold;">10/510068</div>
INTERNATIONAL APPLICATION NO. PCT/US03/10632	INTERNATIONAL FILING DATE 04 April 2003	PRIORITY DATE CLAIMED 08 April 2002
TITLE OF INVENTION METHOD OF TREATING CANCER		
APPLICANT(S) FOR DO/EO/US Stanley F. Barnett, Deborah Defeo-Jones, George D. Hartman, Kathleen M. Haskell, Hans E. Huber, Craig W. Lindsley, Deborah D. Nahas, Zhijian Zhao		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (19) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (PCT Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)] <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)]. 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]. <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]. 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]. 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]. <p>Items 11 to 18 below concern other document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> Other items or information: 		

EXPRESS MAIL CERTIFICATE

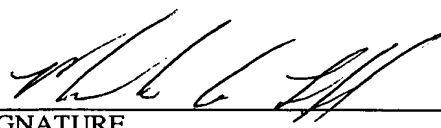
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MAILED BY S. J. Schepers

DATE OCT 4 2004

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/510068		INTERNATIONAL APPLICATION NO. PCT/US03/10632		ATTORNEY'S DOCKET NUMBER DT04 Rec'd PCT/PTO 04 OCT 2004 21075YP			
19. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]: Neither international preliminary examination fee (37 CFR 1.482) nor international search fee [37 CFR 1.445(a)(2)] paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1,110.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$950.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee [37 CFR 1.445(a)(2)] paid to USPTO \$790.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$750.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)..... \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS		PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].							
Claims	Number Filed	Number Extra	Rate				
Total Claims	46 - 20 =	26	X \$18.00	\$468.00			
Independent Claims	9 - 3 =	6	X \$88.00	\$516.00			
Multiple dependent claim(s) (if applicable)			+ \$300.00	\$0.00			
TOTAL OF ABOVE CALCULATIONS =				\$1,084.00			
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.							
SUBTOTAL =				\$1,084.00			
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+			
TOTAL NATIONAL FEE =				\$1,084.00			
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				+			
TOTAL FEES ENCLOSED =				\$1,084.00			
				Amount to be refunded			
				charged			
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-2755</u> in the amount of <u>\$1,084.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. <u>13-2755</u> . A duplicate copy of this sheet is enclosed.							
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.							
SEND ALL CORRESPONDENCE TO: <div style="border: 1px solid black; padding: 2px; display: inline-block;">Customer No. 000210</div> MERCK & CO., INC. Patent Department, RY60-30 P.O. Box 2000 126 East Lincoln Avenue Rahway, New Jersey 07065-0970							
DATE: <u>October 4, 2004</u> PHONE #: <u>(732) 594-1404</u>				<div style="text-align: center;"> _____ SIGNATURE Matthew A. Leff _____ NAME <u>50,149</u> _____ REGISTRATION NUMBER</div>			